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Assassination Records Review Board
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August 17, 1995

To whom it may concern:

The Assassination Records Review Board announced yesterday the results of its formal determinations made on August 3, 1995, regarding 37 CIA records related to Mexico City. Although the Review Board voted to release 18 of these previously postponed records in their entirety, the Board also, for the first time, sustained some of the postponements proposed by the CIA.

Of the 19 documents that will continue to contain some postponements, 13 identify the true names of CIA officials. Because of the significant public interest in these documents and to further their early release, the Review Board voted to substitute the pseudonyms of the officers (whenever known) and to release the remaining information. Moreover, the Review Board will review these same 13 records in December of this year after the CIA has had an opportunity to gather evidence about whether any of the individuals named therein might be endangered if their names were disclosed. If the CIA is unable to provide such evidence by December, the Review Board presumably will open up those 13 additional records in their entirety.

Moreover, of the 19 records containing some continued postponements, the Review Board nevertheless voted to release a great deal of additional information that previously had been redacted. The Review Board voted to open up 147 redactions from these 19 documents – meaning that even in those documents where postponements have been sustained, they will now contain a great deal of additional information beyond that which previously had been available to the public.

Because the Review Board has voted to sustain some of the postponements, I thought that it might be helpful to provide the public with some explanation for the Review Board's thinking regarding its August 3 decisions.

The Review Board's decision-making process is governed by The President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107 (JFK Act). The JFK Act contemplates that government records "should carry a presumption of immediate disclosure, and all records should be eventually disclosed" 44 U.S.C. § 2107.2(a)(2). The JFK Act also recognizes, however, that not all records will be releasable immediately. Section 6 of the Act explains the reasons for which documents

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may continue to be postponed, including the protection of sensitive sources and methods.

The Review Board's responsibility is to make an independent and informed assessment of whether information redacted from agency documents should be released to the public, or whether one of the statutory restrictions of Section 6 should apply. Each time that the Review Board makes a decision, it weighs the public's interest in the record, the statutory presumption favoring release, and the specific grounds for which a record might continue to be postponed under the JFK Act.

The Review Board is strongly committed to fulfilling its statutory burden to make its assessments independently from the agencies. In most instances thus far, the Review Board has decided in favor of release of the previously redacted information. We are aware of no comparable effort in American history to disclose so much information that goes to the heart of the intelligence community's records.

The postponed information from the August 3 determinations can be divided into three categories.

First, as described above, the majority of the postponements are the true names of CIA officers. The Review Board decided to substitute pseudonyms for true names and to re-review the question of release of the true names in December of this year.

Second, in one document, the Review Board decided to postpone part of a file number. The Review Board is convinced that the entire file number should not be made public, although it has released a portion of it.

Third, the Review Board decided that some details of the CIA's Mexico City operations should continue to be withheld and has, accordingly, redacted modest amounts of information. In some cases there are sensitive cryptonyms that the Review Board believes should be redacted in whole or in part. Whenever possible, the Review Board voted to release the digraph (the first two letters of the cryptonym that typically identifies the country or entity at issue) while postponing the remainder of the cryptonym. The Review Board has, thus far, voted in all circumstances to release all substantive information in the records that relate either to Lee Harvey Oswald or to the assassination of President Kennedy.

Although the Review Board members have vigorously discussed the issues involved in postponements and releases, its decisions have thus far been unanimous. The fact that the Review Board votes have been unanimous should provide some assurance, both to the wider public and to the intelligence community, that it is working hard to achieve

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the proper balance between the statutory presumption favoring disclosure and the protection of sensitive sources and methods.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John R. Tunheim". The signature is written in a cursive style with a large initial "J" and "T".

John R. Tunheim
Chairman